

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

NATHAN JOVEE,

Plaintiff,

v.

SNOHOMISH COUNTY, *et al.*,

Defendants.

CASE NO. 2:21-cv-01590-RSM-JRC

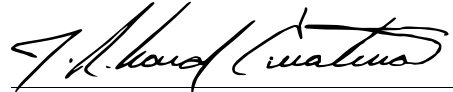
ORDER STRIKING SECOND
AMENDED COMPLAINT AND TO
TERMINATE MOTION TO
STRIKE AS MOOT

This matter is before the Court *sua sponte*. Plaintiff, who proceeds *pro se*, filed a second amended complaint on February 17, 2022. Dkt. 97. However, plaintiff did not obtain defendants' written consent or the Court's leave to file a second amended complaint. He cannot amend his complaint without obtaining either the opposing party's written consent or the Court's leave, at this time. *See* Fed. R. Civ. P. 15(a)(1)–(2). Therefore, his second amended complaint has no legal effect, and the Clerk's Office shall strike it from the docket.

Moreover, certain defendants have moved to strike the second amended complaint as failing to comply with Fed. R. Civ. P. 15. Their motion is not yet ripe for decision. However,

1 the Court reaches this matter *sua sponte* in order to efficiently clarify the status of the matter.
2 The motion to strike (Dkt. 99) should therefore also be terminated as moot.

3 Dated this 24th day of February, 2022.

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5 J. Richard Creatura
6 Chief United States Magistrate Judge
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